

Serial No. 10/668,340  
Docket No. C14-161470M/TRK  
(NGB.298)

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Claims 1-8 and 18-27 are all the claims presently pending in the application. The claims have not been amended by the present Request for Reconsideration.

Claims 1-4 and 18-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Allegedly Admitted Prior Art (AAPA) in view of Scott, et al. (U.S. Patent No. 5,638,504).

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over alleged AAPA in view of Scott, and further in view of Astala (U.S. Patent No. 6,943,778).

Claims 6 and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Scott in view of Caswell (U.S. Patent No. 4,642,459).

Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Scott in view of Astala, and further in view of Caswell.

Claim 21 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Scott, and further in view of Lundqvist (U.S. Patent No. 6,424,844).

Claims 22-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Scott in view of Caswell, and further in view of Tanaka (U.S. Patent No. 5,151,688).

Claim 25 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Scott in view of Caswell, and further in view of Lundqvist.

Claim 26 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Scott.

Claim 27 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Scott in view of Tanaka.

These rejections are respectfully traversed in the following discussion.

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## I. THE CLAIMED INVENTION

The claimed invention is directed to an electronic equipment capable of easily executing desired details of the control with respect to a desired control object without performing a troublesome switch operation (e.g., see specification at page 4, lines 19-23).

For example, independent claim 1 exemplarily defines an electronic equipment which includes a display unit configured to display a first symbol indicating a control object and a second symbol indicating details of a control in a predetermined display position, respectively, a selection unit configured to select at least one of the first and the second symbols displayed on the display unit in response to an instruction operation, a movement unit configured to move the display position of the selected symbol in response to a movement operation, and a control unit configured to execute the details of the control corresponding to the second symbol with respect to the control object corresponding to the first symbol in response to an execution operation.

## II. THE PRIOR ART REJECTIONS

A. Claims 1-4 and 18-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over alleged AAPA in view of Scott.

In this rejection, the Examiner now relies on the alleged AAPA to show the feature of a vehicle-mounted acoustic apparatus. Applicant submits, however, that the Examiner is clearly incorrect.

That is, while Applicant does not admit that the conventional electronic equipment described in the Specification is prior art, Applicant submits that the Examiner's stated motivation fails to establish a *prima facie* case of obviousness.

For example, in the present rejection, the Examiner states that:

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"In light of Scott, it would have been obvious to one of ordinary skill in the art to use Scott's display device in AAPA's apparatus because Scott's display device allows the user to manipulate displayed objects faster and easier."

(see Office Action at page 2; emphasis added).

Applicant submits that merely stating that it would be obvious to do something "faster and easier", without citing any support for this position, clearly fails to establish a prima facie case under 35 U.S.C. § 103. Thus, a *prima facie* case clearly has not been established.

Moreover, the Examiner's rejection only mentions dependent claims 18-20 in the heading, and fails to identify these claims in the text of the rejection. Thus, a *prima facie* case with respect to at least claims 18-20 clearly has not been established.

Furthermore, even assuming *arguendo* that the Examiner's motivational statement would be sufficient to establish a *prima facie* case of obviousness, Applicant submits that the Examiner's rejection is erroneous.

Applicant submits, Scott discloses that, in a workspace, a document icon can be dragged to other icons representative of functional devices (e.g., a printer) and appliances or special icons that know how to read and interpret the data carried by the document (e.g., see Scott at column 16, lines 48-53).

For example, Scott discloses that a letter object or other document object can be dragged to and dropped upon a business card object to invoke a mailing operation to the address contained within the business card. Scott discloses that, if the address is an internet address or other network address, the document can be transmitted via the network medium to the specified address (e.g., see Scott at column 16, lines 55-61).

Thus, Scott merely discloses dragging objects that represent electronic documents for reading and interpretation of the data carried by the document by other devices.

Scott discloses that the system for performing these steps includes a computer, as shown in Figures 1, which includes, for example, a user interface 22 for connecting a

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keyboard 24, a mouse 32, a speaker 28, a microphone 26, and or other user interface devices such as a touch screen device (not shown) (c.g., see Scott at column 3, lines 50-53).

Indeed, Scott clearly is related to performing a method on a personal computer (e.g., see Scott at column 3, lines 38-446). Moreover, Applicant points out that Scott merely mentions such a touch screen user interface a single time in the disclosure (e.g., see Scott at column 3, lines 50-53).

Thus, Scott clearly provides no motivation or suggestion for providing a vehicle mounted acoustic apparatus, according to the claimed invention, or for that matter, how such a method or system would work in a vehicle mounted acoustic apparatus.

For at least the forgoing reasons, Applicant submits that the features of claims 1-4 and 18-20 are not disclosed or suggested by the alleged AAPA and Scott, either individually or in combination.

**B. Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over alleged AAPA in view of Scott, and further in view of Astala.**

With respect to claim 5, Applicant submits that claim 5 is patentable over the Examiner's combination of the alleged AAPA, Scott, and Astala, by virtue of its dependency from claim 1 (i.e., claim 1+3+4+5), for at least the reasons set forth above with respect to claim 1.

Moreover, Applicant submits that Astala also does not provide a motivation or suggestion for providing a vehicle mounted acoustic apparatus, according to the claimed invention, or for that matter, how such a method or system would work in a vehicle mounted acoustic apparatus.

Thus, Applicant submits that claim 5 would not have been obvious from the alleged AAPA, Scott, and Astala, either individually or in combination.

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**C. Claims 6 and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Scott in view of Caswell.**

The Examiner alleges that Scott would have been combined with Caswell to teach the claimed invention of claims 6 and 7. The Examiner, however, is clearly incorrect.

In the Response to Arguments section of the present Office Action, the Examiner states that:

“With regarding to claim 6, applicant argues that the light sensor, as claimed, detects light irradiated onto the display screen, not light emitted from the display screen. The examiner disagrees with applicant's argument. Claim 6 recites “a light sensor configured to detect an irradiation position in response to a light beam with which a display screen of the display unit is irradiated”. This claimed limitation is clearly different from the light sensor detects light irradiated onto the display screen. The claim limitation does not disclose how the display screen is irradiated.”

(see Office Action at page 9; emphasis added).

First, Applicant submits that the Examiner's position is not understandable, and indeed, clearly is erroneous.

For example, the Examiner specifically acknowledges that claim 6 recites, *inter alia*, that “a light sensor configured to detect an irradiation position in response to a light beam with which a display screen of the display unit is irradiated” (emphasis added).

Clearly, one of ordinary skill in the art would know and understand that “a light beam with which a display screen of the display unit is irradiated” means that the display screen is irradiated with a light beam.

Moreover, one of ordinary skill in the art clearly would know and understand that “a light sensor configured to detect an irradiation position in response to a light beam with which a display screen of the display unit is irradiated” means that the light sensor can detect such an irradiation of the display screen with the light beam.

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Thus, the Examiner's statements that "This claimed limitation is clearly different from the light sensor detects light irradiated onto the display screen. The claim limitation does not disclose how the display screen is irradiated." are not understood, and indeed, clearly are erroneous.

In fact, the Examiner's statements clearly are inconsistent with the actual language of claim 6, and indeed, the Examiner's own statements regarding claim 6. Thus, the Examiner's position clearly is erroneous in view of the actual language of claim 6.

Moreover, as mentioned below, dependent claims 7, 8, and 22-25 further define the features of claim 6, and clearly are inconsistent with the Examiner's erroneous position in the Response to Arguments.

In fact, with respect to claims 22-24, the Examiner specifically admits that "The modified AAPA does not disclose the light beam is irradiated onto the display screen from a remote location, and the light sensor formed with the display screen for detecting the light beam" (see Office Action at page 6; emphasis added).

Thus, in view of the Examiner own admissions in the rejection of claims 22-24, the Examiner properly should have withdrawn this rejection, or raised a new rejection similar to claims 22-24. Such a new rejection would have required that the Examiner issue a new, non-final Office Action to reject claim 6 on new grounds.

Notwithstanding the Examiner's erroneous position with respect to claim 6, the Examiner has not established how any of the cited references teach or suggest the features of a light sensor according to the claimed invention, which clearly recite "*a light sensor configured to detect an irradiation position in response to a light beam with which a display screen of the display unit is irradiated*".

Instead, at best, the references teach a sensor that detects light emitted from the display screen.

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Applicant reiterates that, according to the claimed invention, the display screen is irradiated with a light beam and a light sensor detects an irradiation position in response to the light beam. Thus, the light sensor detects light irradiated onto the display screen, not light emitted from the display screen, as alleged by the Examiner.

In comparison, as the Examiner himself acknowledges, Caswell discloses a light pen which includes a light sensor configured to detect irradiation from the display unit. That is, in Caswell, the light pen includes the light sensor and the light that is detected is the light from the display unit.

In stark contrast, according to the claimed invention, a light beam irradiates the display unit. That is, the light that is being detected by the light sensor is the light that is being irradiated onto the display unit, not the light that is being emitted from the display unit.

Thus, Applicant reiterates that Caswell clearly does not make up for the deficiencies of Scott. Accordingly, Applicant submits that claim 6 would not have been obvious from Scott and Caswell, either individually or in combination.

Further, Applicant submits that the Examiner clearly has not responded to, or even mentioned, Applicant's traversal positions with respect to claim 7, which also clearly recites how the display screen is irradiated.

Thus, Applicant submits that the Examiner should have responded to all of Applicant's traversal positions, including those with respect to claim 7, and answered the substance of the arguments (e.g., see M.P.E.P. § 707.07(f); see also M.P.E.P. § 2144.08(III)).

It is noted that, where Applicant traverses any rejections, the Examiner should, if he repeats the rejection, take note of the Applicant's argument and answer the substance of it (see M.P.E.P. § 707.07(f)).

Thus, Applicant points out to the Examiner that the importance of answering applicant's arguments is illustrated by In re Herrmann, 261 F.2d 598, 120 USPQ 182 (CCPA

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1958) where the applicant urged that the subject matter claimed produced new and useful results. The court noted that since applicant's statement of advantages was not questioned by the examiner or the Board of Appeals, it was constrained to accept the statement at face value and therefore found certain claims to be allowable. See also In re Soni, 54 F.3d 746, 751, 34 USPQ2d 1684, 1688 (Fed. Cir. 1995) (Office failed to rebut applicant's argument).

Thus, since the Examiner failed to respond to Applicant's traversal positions of claim 7, Applicant submits that the Examiner has conceded that the prior art does not disclose or suggest these features.

Indeed, as mentioned above, with respect to claims 22-24, the Examiner specifically admits that "The modified AAPA does not disclose the light beam is irradiated onto the display screen from a remote location, and the light sensor formed with the display screen for detecting the light beam" (see Office Action at page 6; emphasis added).

Thus, in view of the Examiner own admissions in the rejection of claims 22-24, the Examiner properly should have withdrawn this rejection, or raised a new rejection similar to claims 22-24. Such a new rejection would have required that the Examiner issue a new, non-final Office Action to reject claim 7 on new grounds.

Notwithstanding the above, Applicant submits that claim 7 would not have been obvious from Scott and Caswell, either individually or in combination, by virtue of its dependency from claim 6, as well as for the additional features recited therein.

Claim 7 recites, *inter alia*, that:

*wherein the selection unit selects at least one of the first and the second symbols in response to the instruction operation in which the display screen is irradiated with the light beam in the display position corresponding to the first or the second symbols to be selected, and*

*wherein the movement unit moves the display position of the selected symbol in response to the movement operation in*



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which the light beam being moved on the display screen  
(emphasis added).

Clearly, claim 7 recites that the display screen is irradiated with the light beam and that the light beam is moved on the display screen, which clearly contradicts the Examiner's erroneous position with respect to independent claim 6.

As mentioned above, contrary to the claimed invention, Caswell merely discloses a light pen which includes a light sensor configured to detect irradiation from the display unit. That is, in Caswell, the light pen includes the light sensor and the light that is detected is the light emitted from the display unit.

Thus, Applicant submits that Caswell clearly does not make up for the deficiencies of Scott. Accordingly, Applicant submits that claim 7 would not have been obvious from Scott and Caswell, either individually or in combination.

**D. Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Scott in view of Astala, and further in view of Caswell.**

With respect to claim 8, Applicant reiterates that claim 8 would not have been obvious from Scott, Astala, and Caswell, either individually or in combination, by virtue of its dependency from claim 6, as well as for the additional features recited therein.

Claim 8 recites, *inter alia*, that “the selection unit selects at least one of the first and the second symbols when the display screen is irradiated with the light beam for a predetermined time period or longer in the display position of the symbol to be selected” (emphasis added).

First, Applicant submits that claim 8 clearly recites that the display screen is irradiated with the light beam, which clearly contradicts the Examiner's erroneous position with respect to independent claim 6.

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Second, Applicant submits that the Examiner clearly has not responded to, or even mention, Applicant's traversal positions with respect to claim 8, which also clearly recites how the display screen is irradiated.

Thus, Applicant submits that the Examiner should have responded to all of Applicant's traversal positions, including those with respect to claim 8, and answered the substance of the arguments (e.g., see M.P.E.P. § 707.07(f); see also M.P.E.P. § 2144.08(III)).

Applicant again notes that, where Applicant traverses any rejections, the Examiner should, if he repeats the rejection, take note of the Applicant's argument and answer the substance of it (see M.P.E.P. § 707.07(f)).

Again, Applicant points out to the Examiner that the importance of answering applicant's arguments is illustrated by In re Herrmann, 261 F.2d 598, 120 USPQ 182 (CCPA 1958) where the applicant urged that the subject matter claimed produced new and useful results. The court noted that since applicant's statement of advantages was not questioned by the examiner or the Board of Appeals, it was constrained to accept the statement at face value and therefore found certain claims to be allowable. See also In re Soni, 54 F.3d 746, 751, 34 USPQ2d 1684, 1688 (Fed. Cir. 1995) (Office failed to rebut applicant's argument).

Thus, since the Examiner failed to respond to Applicant's traversal positions of claim 8, Applicant submits that the Examiner has conceded that the prior art does not disclose or suggest the features of claim 8.

Indeed, as mentioned above, with respect to claims 22-24, the Examiner specifically admits that "The modified AAPA does not disclose the light beam is irradiated onto the display screen from a remote location, and the light sensor formed with the display screen for detecting the light beam" (see Office Action at page 6; emphasis added).

Thus, in view of the Examiner own admissions in the rejection of claims 22-24, the Examiner properly should have withdrawn this rejection, or raised a new rejection similar to

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claims 22-24. Such a new rejection would have required that the Examiner issue a new, non-final Office Action to reject claim 8 on new grounds.

Third, notwithstanding the above, Applicant reiterates that Scott and Caswell clearly do not disclose or suggest irradiating the display screen with a light beam, as claimed.

Applicant submits that Astala clearly does not make up for the deficiencies of Scott and Caswell, since Astala also does not disclose or suggest irradiating the display screen with a light beam, as claimed. Indeed, Astala is not even relied upon for the teaching of irradiating the display screen with a light beam.

Instead, the Examiner merely relies on Astala for the teaching of a touch screen in which the location and duration of an object touching the screen are detected to simulate a mouse click of the left button or a mouse click of the right button.

Thus, Applicant reiterates that Scott, Astala, and Caswell, either individually or in combination, clearly do not disclose or suggest all of the features of the claimed invention.

Fourth, as a matter of law, Applicant submits that the Examiner has not established a *prima facie* case of obviousness with respect to claim 8, since the Examiner has not properly established or identified, on its face, how each of the elements of the claims are disclosed or suggested by the alleged combination of Scott, Astala, and Caswell, or for the matter, the requisite motivation for making such a combination of these three references.

**E. Claim 21 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over alleged AAPA in view of Scott, and further in view of Lundqvist.**

With respect to claim 21, the Examiner acknowledges that the modified AAPA does not disclose distinguishing between an instantaneous touching of the display screen and a selection of one of the symbols.

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However, the Examiner alleges that Lundqvist, in the same display field, discloses distinguishing between an instantaneous touching of a display screen and a selection of the display screen by detecting the time period of the display screen being touched (col. 4, lines 25-30). The Examiner alleges that this prevents accidentally activating the display screen from an inadvertent touching of the display screen (col. 4, lines 25-30).

Thus, the Examiner alleges that it would have been obvious to one of ordinary skill in the art to use Lundqvist's concept in the invention of the modified AAPA. By doing so, the Examiner alleges that the symbols can be prevented from accidentally activated when the display screen is inadvertently touched.

With respect to claim 21, Applicant submits that claim 21 is patentable over the Examiner's combination of the alleged AAPA, Scott, and Lundqvist, by virtue of its dependency from claim 1, for at least the reasons set forth above with respect to claim 1.

Moreover, Applicant submits that Lundqvist also does not provide a motivation or suggestion for providing a vehicle mounted acoustic apparatus, according to the claimed invention, or for that matter, how such a method or system would work in a vehicle mounted acoustic apparatus. Instead, Lundqvist merely discloses a portable telephone.

Thus, Applicant submits that claim 21 would not have been obvious from the alleged AAPA, Scott, and Lundqvist, either individually or in combination.

**F. Claims 22-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Scott in view of Caswell, and further in view of Tanaka.**

With respect to claims 22-24, the Examiner specifically admits that "The modified AAPA does not disclose the light beam is irradiated onto the display screen from a remote location, and the light sensor formed with the display screen for detecting the light beam" (see Office Action at page 6; emphasis added).

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Therefore, the Examiner relies on Tanaka to make up for the admitted deficiencies of Scott and Caswell.

Particularly, the Examiner states that Tanaka "in the same display field, discloses a light pen for irradiating a light beam onto a display screen from a remote location, and light sensors formed with the display screen for detecting the light beam (Abstract)." (see Office Action at page 6).

The Examiner alleges that, "In light of Tanaka, it would have been obvious to one of ordinary skill in the art to substitute Tanaka's input means for the input means of the modified AAPA. By doing so, the power consumption and the size of the electronic equipment can be reduced (col. 1, lines 13-20; col. 2, lines 20-25)." (see Office Action at page 6).

Applicant submits, however, that the Examiner clearly has not established a motivation for combining Scott to include the features of Tanaka, but instead, merely relies on the reasons disclosed by Tanaka for providing the device of Tanaka. That is, Applicant submits that the Examiner's stated motivation has nothing to do with combining Scott and Tanaka, but instead, is directed solely to a motivation for providing the device of Tanaka by itself.

For example, the Examiner alleges that it would have been obvious to substitute the light pen of Tanaka as the input means of Scott to reduce the power consumption and size of the electronic equipment. However, the Examiner's stated motivation for reducing the power consumption and size of the electrical equipment relates solely to Tanaka's stated reasons for providing the embodiment of the light pen and sensor of Tanaka over the conventional light pens and sensors (see col. 1, lines 13-20; col. 2, lines 20-25), which has nothing to do with the teachings of Scott.

Thus, Applicant submits that the Examiner still has not established *how* or *why* the individual features of a personal computer and touch screen, as disclosed by Scott, which

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shows dragging a document icon, would be combined with the light pen of Tanaka, or for that matter, *how* the resulting device, which includes a light pen according to Tanaka, would drag the document icon to perform the method of Scott.

Accordingly, Applicant submits that the Examiner has not established how merely modifying Scott to include a light pen according to Tanaka, would teach or suggest the claimed invention. Hence, Applicant submits that the Examiner has not met the Patent Office's burden of establishing a *prima facie* case of obviousness.

**G. Claim 25 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Scott in view of Caswell, and further in view of Lundqvist.**

First, the Examiner acknowledges that the alleged modified AAPA does not disclose distinguishing between an instantaneous irradiation of the display screen and a selection of one of the symbols. However, Applicant notes that the alleged AAPA is not relied upon in this rejection.

Therefore, Applicant submits that the Examiner's position cannot be understood.

Next, the Examiner alleges that Lundqvist, in the same display field, discloses distinguishing between an instantaneous touching of a display screen and a selection of the display screen by detecting the time period of the display screen being touched (col. 4, lines 25-30). The Examiner alleges that this prevents accidentally activating the display screen from an inadvertent touching of the display screen (col. 4, lines 25-30).

Thus, the Examiner alleges that it would have been obvious to one of ordinary skill in the art to use Lundqvist's concept in the invention of the modified AAPA. By doing so, the Examiner alleges that the symbols can be prevented from accidentally activated when the display screen is inadvertently irradiated.

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With respect to claim 25, Applicant submits that claim 25 is patentable over the Examiner's combination of the alleged Scott, Caswell, and Lundqvist, by virtue of its dependency from claim 1, for at least the reasons set forth above with respect to claim 1.

Moreover, Applicant submits that Lundqvist also does not provide a motivation or suggestion for providing a vehicle mounted acoustic apparatus, according to the claimed invention, or for that matter, how such a method or system would work in a vehicle mounted acoustic apparatus. Instead, Lundqvist merely discloses a portable telephone.

Next, Applicant submits that, contrary to the Examiner's position, the cited portion of Lundqvist (col. 4, lines 25-30) does not disclose or suggest the claimed "*means for distinguishing between an instantaneous irradiation of the display screen and a selection of at least one of the first and the second symbols*", as recited in claim 25 (emphasis added).

Instead, Lundqvist merely discloses that the time period for performing the power-on function varies depending on the period of time that the power on command is depressed, not irradiated, to prevent accidental power on from an inadvertent touching of the screen.

Indeed, claim 25 uses "means-plus-function" claim language, which means that claim 25 should be construed under 35 U.S.C. § 112, sixth paragraph, to cover the specific arrangement of elements disclosed in the specification and drawings (and then "reasonable" equivalents under 35 U.S.C. § 112, sixth paragraph).

Applicant submits that the cited references clearly do not disclose or suggest any structure, equivalents thereof, or identity of function necessary for at least the claimed selection means.

Thus, Applicant submits that claim 25 would not have been obvious from the alleged Scott, Caswell, and Lundqvist, either individually or in combination.

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H. Claim 26 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Scott.

The Examiner alleges that Scott discloses an electronic equipment including a display unit configured to display a first symbol indicating a control object and a second symbol indicating details of a control in a predetermined display position (col. 16, lines 57-67), respectively; a selection unit configured to select at least one of the first and the second symbols displayed on the display unit in response to an instruction operation; a movement unit configured to move the display position of the selected symbol in response to a movement operation; and a control unit configured to execute the details of the control corresponding to the second symbol with respect to the control object corresponding.

Independent Claim 26 recites an electronic equipment including:

*display means for displaying a first symbol indicating a control object and a second symbol indicating details of a control in a predetermined display position, respectively;*

*selection means for selecting at least one of the first and the second symbols displayed on the display means in response to an instruction operation;*

*movement means for moving the display position of the selected symbol in response to a movement operation; and*

*control means for executing details of the control corresponding to the second symbol with respect to the control object corresponding to the first symbol in response to an execution operation (emphasis added).*

First, Applicant notes that claim 26 uses “means-plus-function” claim language, which means that claim 26 should be construed under 35 U.S.C. § 112, sixth paragraph, to cover the specific arrangement of elements disclosed in the specification and drawings (and then “reasonable” equivalents under 35 U.S.C. § 112, sixth paragraph).

Second, Scott clearly does not disclose or suggest any structure, equivalents thereof, or identity of function necessary for at least the claimed selection means.



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Instead, Scott discloses that the system for performing these steps includes a computer, as shown in Figures 1, which includes, for example, a user interface 22 for connecting a keyboard 24, a mouse 32, a speaker 28, a microphone 26, and or other user interface devices such as a touch screen device (not shown) (e.g., see Scott at column 3, lines 50-53).

Scott merely discloses that, in a workspace, a document icon can be dragged to other icons representative of functional devices (e.g., a printer) and appliances or special icons that know how to read and interpret the data carried by the document (e.g., see Scott at column 16, lines 48-53).

Indeed, Scott clearly is related to performing a method on a personal computer (e.g., see Scott at column 3, lines 38-446). Moreover, Applicant points out that Scott merely mentions such a touch screen user interface a single time in the disclosure (e.g., see Scott at column 3, lines 50-53).

For example, Scott discloses that a letter object or other document object can be dragged to and dropped upon a business card object to invoke a mailing operation to the address contained within the business card. Scott discloses that, if the address is an internet address or other network address, the document can be transmitted via the network medium to the specified address (e.g., see Scott at column 16, lines 55-61).

Thus, Scott merely discloses dragging objects that represent electronic documents for reading and interpretation of the data carried by the document by other devices.

Thus, Applicant submits that Scott does not disclose or suggest any structure, equivalents thereof, or identity of function necessary for at least the claimed selection means or control means.

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I. Claim 27 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Scott in view of Tanaka.

The Examiner acknowledges that Scott does not disclose the light beam is irradiated onto the display screen from a remote location, and the light sensor formed with the display screen for detecting the light beam.

However, the Examiner alleges that Tanaka, in the same display field, discloses a light pen for irradiating a light beam onto a display screen from a remote location, and light sensors formed with the display screen for detecting the light beam (Abstract).

In light of Tanaka, the Examiner alleges that it would have been obvious to one of ordinary skill in the art to substitute Tanaka's input means for Scott's input means. By doing so, the Examiner alleges that the power consumption and the size of the electronic equipment can be reduced (col. 1, lines 13-20; col. 2, lines 20-25).

For somewhat similar reasons as claims 22-24 above, Applicant submits that the Examiner merely provides Tanaka's disclosed motivation for providing the device of Tanaka itself, not in combination with Scott.

Applicant submits that the Examiner has not established *how* or *why* the individual features of a personal computer and touch screen, as disclosed by Scott, which shows dragging a document icon, would be combined with the light pen of Tanaka, or for that matter, *how* the resulting device, which includes a light pen according to Tanaka, would drag the document icon to perform the method of Scott.

Accordingly, Applicant submits that the Examiner has not established how merely modifying Scott to include a light pen according to Tanaka, would teach or suggest the claimed invention.

Hence, Applicant submits that the Examiner has not met the Patent Office's burden of establishing a *prima facie* case of obviousness.

Serial No. 10/668,340  
Docket No. C14-161470M/TRK  
(NGB.298)

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### III. FORMAL MATTERS

The Examiner is again requested to acknowledge receipt of and approve the formal drawings filed on November 5, 2003.

### IV. CONCLUSION

In view of the foregoing, Applicant submits that claims 1-8 and 18-27, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

Serial No. 10/668,340  
Docket No. C14-161470M/TRK  
(NGB.298)

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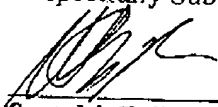
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The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: March 7, 2007

  
\_\_\_\_\_  
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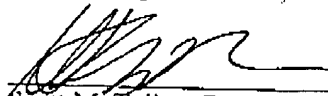
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I hereby certify that I am filing this paper via facsimile, to Group Art Unit 2629, at (571) 273-8300, on March 7, 2007.

Respectfully Submitted,

Date: March 7, 2007

  
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